

Also, resolutions of the Chamber of Commerce of New York, urging the passage of a bill authorizing the Secretary of the Treasury to exchange gold coin for any other money coined by the United States whenever it may be necessary to do so—to the Committee on Banking and Currency.

By Mr. FITZGERALD of New York: Petition of sundry citizens of Brooklyn, N. Y., indorsing House bill No. 5779, relating to appointments in the Government service—to the Committee on Reform in the Civil Service.

Also, petition of 47 citizens of the Second Congressional district of New York, in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of D. M. Bothwell, of Brooklyn, N. Y., for the repeal of the war-revenue tax on tea—to the Committee on Ways and Means.

By Mr. GAMBLE: Papers to accompany House bill granting a pension to Theodore F. Collins—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Resolutions of the Methodist Episcopal Church of Blanchard, Iowa, in favor of provision to prohibit the importation of intoxicating liquors into countries chiefly inhabited by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. McRAE: Affidavits to accompany House bill granting a pension to Lelia H. Shaw—to the Committee on Pensions.

By Mr. MIERS of Indiana: Paper to accompany House bill for the relief of Andrew Jarvis, of Spencer, Ind.—to the Committee on Invalid Pensions.

By Mr. NORTON of Ohio: Petition of Timothy B. Lehane, to accompany House bill No. 12638, granting him an increase of pension—to the Committee on Invalid Pensions.

Also, protest of the Woman's Christian Temperance Union of Prospect, Ohio, against the sale of intoxicating liquors in our new possessions—to the Committee on Insular Affairs.

By Mr. PHILLIPS: Affidavits to accompany House bill granting an increase of pension to Charles H. Knapp—to the Committee on Invalid Pensions.

Also, affidavit to accompany House bill granting a pension to Salmon Hudson—to the Committee on Invalid Pensions.

By Mr. RAY of New York: Petition of Charles H. Wickham, to accompany House bill granting him a pension—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: Petition of Julia Gailey, the heir of Hiram Gailey, deceased, late of Wayne County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of Rev. J. L. Leeper, of Fort Wayne, Ind., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. RYAN of New York: Petition of N. Rochester, cashier Third National Bank of Buffalo, N. Y., to reduce the war tax on bank capital and surplus—to the Committee on Ways and Means.

By Mr. SHOWALTER: Petition of citizens of Butler, Pa., to accompany House bill granting a pension of \$50 per month to Henry Forcht—to the Committee on Invalid Pensions.

By Mr. VREELAND: Resolutions of Methodist, Baptist, and Presbyterian churches, and the Woman's Christian Temperance Union, of Angelica, N. Y., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

Also, resolutions of Methodist, Baptist, and Presbyterian churches, and the Woman's Christian Temperance Union, of Angelica, N. Y., against island saloons and canteens—to the Committee on Insular Affairs.

By Mr. WARNER: Petitions of citizens of Tuscola and Normal, Ill., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi: Paper to accompany House bill for the relief of William D. Wilson—to the Committee on War Claims.

By Mr. YOUNG: Resolutions of the Trades League of Philadelphia, in favor of legislation transferring the present mint building to the city of Philadelphia—to the Committee on Public Buildings and Grounds.

By Mr. VANDIVER: Petition of W. A. Long and other citizens of Christian County, Mo., to accompany House bill granting a pension to William Thompson—to the Committee on Invalid Pensions.

SENATE.

MONDAY, December 17, 1900.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.
The Journal of the proceedings of Saturday last was read and approved.

ELECTORAL VOTE OF TEXAS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for President and

Vice-President appointed in the State of Texas at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry.

The message also announced that the House had passed the bill (S. 5076) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of Ohio.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 12394) to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder; and

A bill (H. R. 12737) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1902, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 8487) for the relief of Col. Charles B. Dougherty and other members of the Ninth Regiment of Pennsylvania Infantry;

A bill (H. R. 10834) granting a pension to Michael Dempsey; and

A joint resolution (H. J. Res. 281) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1900, on the 20th day of said month.

PETITIONS AND MEMORIALS.

Mr. VEST presented a petition of sundry business firms of Kansas City, Mo., praying for the repeal of the revenue tax on hides; which was referred to the Committee on Finance.

Mr. McMILLAN presented petitions of the Woman's Missionary Society of the First Presbyterian Church of Negaunee; of the Woman's Missionary Society of St. Louis; of the congregations of the Immanuel Presbyterian and the First Presbyterian churches, of Detroit, Ypsilanti, Jackson, and Adrian; of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Decatur; of sundry citizens of Buchanan and Detroit; of the Ladies' Aid Society of the Second Presbyterian Church of Detroit; of the Ladies' Missionary Society of the First Presbyterian Church of Harbor Springs, and of the Woman's Missionary Society of the Second Memorial Presbyterian Church, of Detroit, all in the State of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of sundry citizens of California, praying for the repeal of the revenue tax on imported grain bags; which was referred to the Committee on Finance.

He also presented seventy-one petitions of sundry citizens of California, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry fruit growers of California, praying for the construction of the Nicaragua Canal; which was ordered to lie on the table.

He also presented a petition of Unity Post, No. 1, Department of California, Grand Army of the Republic, of Veterans' Home, Cal., praying for the enactment of legislation giving preference to veterans in the public service; which was referred to the Committee on Military Affairs.

He also presented two petitions of citizens of California, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. QUARLES presented a petition of sundry business firms of Wisconsin, praying for a reduction of the revenue tax on beer; which was referred to the Committee on Finance.

He also presented petitions of citizens of Grand Rapids, Madison, and Waukesha, all in the State of Wisconsin, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the repeal of the war-revenue tax on merchandise sold upon the commercial exchanges of the country; which was referred to the Committee on Finance.

He also presented a petition of the Honeycreek Society of the Methodist Episcopal Church, of Honeycreek, Wis., praying for

the enactment of legislation to prohibit the sale of intoxicating liquors in all the island possessions of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the presbytery of the Welsh Calvinistic Methodists of the Second district of Wisconsin, and a petition of the congregation of the Methodist Church of Delavan, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were referred to the Committee on Military Affairs.

Mr. NELSON presented a memorial of 23 citizens of Brewster, Minn., and a memorial of sundry citizens of New Ulm, Minn., remonstrating against the passage of the so-called parcel-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 3311) for the relief of Edwin Bell; which were referred to the Committee on Patents.

Mr. CLAY presented a petition of the Board of Trade of Savannah, Ga., praying that an appropriation be made to provide a channel through Skidaway Narrows, in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Georgia Dairymen's Association, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. BUTLER. I present the petition of Mr. David Lubin, of New York, in behalf of the State granges of California, Oregon, Illinois, Washington, Missouri, Virginia, and Pennsylvania, praying for the adoption of an amendment to the ship-subsidy bill now pending in the Senate so as to give protection to agricultural staples by placing a bounty on exports. The petition is brief, and inasmuch as it will attract considerable attention, owing to its author, I move that it be printed as a document and that it lie on the table.

The motion was agreed to.

Mr. HOAR presented a petition of the New England Drug Exchange, praying for the repeal of the revenue-stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Fall River, Mass., praying for the enactment of the so-called ship-subsidy bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Lynnfield Center, Mass., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Leicester, Mass., praying for the enactment of legislation to prohibit the importation and sale of intoxicating liquors in the insular possessions of the United States; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Ladies' Society and Woman's Christian Temperance Union of Covert, of the Sons of Temperance of Neponset, of the congregations of the First Baptist and the Methodist Episcopal churches of Greenfield, of the Woman's Christian Temperance Union of Fall River, of sundry churches and religious organizations of Ware, and of the congregation of the Village Church of Cummington, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were referred to the Committee on Military Affairs.

Mr. DOLLIVER presented a petition of the Commercial Exchange of Des Moines, Iowa, praying for the establishment of a national park on the Leech Lake Indian Reservation, in the State of Minnesota; which was referred to the Committee on Indian Affairs.

He also presented the petition of J. R. Vance and sundry other citizens of Armstrong, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry life insurance companies of Des Moines, Iowa, praying for the repeal of the revenue-stamp tax on insurance policies; which was referred to the Committee on Finance.

He also presented a petition of sundry clerks employed in the post-office at Fort Dodge, Iowa, praying for the enactment of legislation providing for the reclassification of clerks in the railway postal service and also to limit the hours of daily labor of workmen, mechanics, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Retail Grocers' Association of Des Moines, Iowa, remonstrating against the passage of the so-called parcel-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of James C. Taylor Post, No. 165, Department of Iowa, Grand Army of the Republic of Algona, Iowa, praying for the enactment of legislation giving preference to vet-

erans in the public service; which was referred to the Committee on Military Affairs.

He also presented a petition of 200 veterans of the civil war, praying for the passage of a graded service pension bill; which was referred to the Committee on Pensions.

Mr. COCKRELL presented a memorial of sundry citizens of Grant City, Mo., remonstrating against the passage of the so-called parcel-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry business firms of Kansas City, Mo., praying for the repeal of the revenue tax on hides; which was referred to the Committee on Finance.

Mr. SPOONER presented a petition of the Woman's Christian Temperance Union of Sparta, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which was referred to the Committee on Military Affairs.

Mr. FAIRBANKS presented a petition of the teachers and students of the Lucy Webb Hayes National Training School, of the city of Washington, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a petition of sundry citizens of Boyle, Kans., praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union of Marquette, Kans., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens, and also in all the island possessions of the United States; which was referred to the Committee on Military Affairs.

Mr. McBRIDE presented a petition of sundry keepers of life-saving stations in Oregon, praying that their pay be increased to \$100 per month; which was referred to the Committee on Commerce.

Mr. BURROWS presented sundry petitions of citizens of Michigan, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. ELKINS presented sundry petitions of citizens of West Virginia, praying for the enactment of the so-called Grout bill, regulating the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. THURSTON presented petitions of 25 banking firms of Nebraska, praying for the repeal of the revenue tax levied upon the capital of banks; which were referred to the Committee on Finance.

Mr. FRYE presented a petition of John Merrill Post, Department of Maine, Grand Army of the Republic, of Richmond, Me., praying for the enactment of legislation giving preference to veterans in the public service; which was referred to the Committee on Military Affairs.

REPORTS OF A COMMITTEE.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (H. R. 11213) for relief of occupants of lands included in the Algodones grant, in Arizona, reported it without amendment, and submitted a report thereon.

SETTLERS ON CEDED INDIAN LANDS.

Mr. NELSON. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 5141) extending the provisions of section 2301 of the Revised Statutes of the United States to homestead settlers on the ceded Indian reservation in Minnesota, to report it favorably without amendment, and I ask for its immediate consideration.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota for the present consideration of the bill?

Mr. PETTIGREW. I should like to hear the bill explained by the Senator from Minnesota.

Mr. NELSON. It is simply a bill allowing homestead settlers on the Indian reservation in Minnesota to commute their homesteads as in other cases; that is all.

Mr. PETTIGREW. How is it with the other reservations?

Mr. NELSON. In the case of nearly all the other reservations they have that right under existing law—under the general homestead law.

Mr. PETTIGREW. Does the bill extend the privilege to the homesteaders in Minnesota under the old law—that is, after six months' residence?

Mr. NELSON. It is fourteen months' residence by the existing law, and then they have to pay for the land. The bill simply applies to commutation privileges under the general homestead law.

Mr. PETTIGREW. I should like to know how it came that that reservation was not included in the general law heretofore.

Mr. NELSON. In the law that originally opened the reservation no provision was made for commutation. The settlers were required to live there five years and to pay a dollar and a quarter an acre. At the last session we relieved them by a free-homestead law. Now, this is to allow the settlers to commute, and if they commute the money goes to the United States and to the Indians, and is that much paid to the Government.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. CARTER. I move to insert the words "and Montana" after the word "Minnesota," in line 7.

Mr. ALLEN. I desire to present an amendment.

Mr. ALLISON. I should be glad to have the Senator from Montana explain the necessity for his amendment.

Mr. ALLEN. I move to insert the words "and Nebraska" after "Montana."

The PRESIDENT pro tempore. The Senator from Nebraska moves to amend the amendment offered by the Senator from Montana by inserting after it the words "and Nebraska." The question is on agreeing to the amendment to the amendment.

Mr. HANSBROUGH. I think that if we are going to insert particular States, the bill ought to be made to apply to all States. I understood the Senator from Minnesota this morning in committee to say that all other reservations had been cared for, and he desired to look after the reservation in Minnesota. Now, it appears that there are reservations in other States to which the provision of existing law does not apply. I think the bill ought to cover all States where there are Indian reservations.

Mr. NELSON. I wish to say, Mr. President, that under the laws opening several of the reservations the general right of commuting homesteads was not given. We passed at the last session of Congress what is known as the free homestead bill, by which all settlers were allowed to get the lands free, without paying for them, and the Government was to reimburse the Indians. Under the general homestead law all homesteaders, after residing fourteen months on the land, can commute; that is, instead of living there five years, they can pay cash for the land and get their patents.

The bill is intended to allow the settlers on this reservation to commute like other homestead settlers, and it is to the great financial advantage of the Government, because when they commute they pay the cash, and that reimburses the Government to that extent and helps to relieve it of the burden we assumed by the free homestead act passed last spring.

Mr. PETTIGREW. Mr. President—

Mr. NELSON. I wish to say further, if the Senator will allow me, that most of the reservations to which the free-homestead law applied were in Oklahoma. Some were in Montana and some in South Dakota.

Mr. HANSBROUGH. And some in Idaho.

Mr. NELSON. And some in Idaho. In most of those cases under the original law or under a supplementary law the settlers have been given the right to commute. In a few cases, that of Minnesota, and, I think, Montana, and perhaps Nebraska, the right of commuting their entries had not been given, and the object is simply to put those homestead settlers on a par with other settlers. This will redound to the financial advantage of the Government, because in every case where there is commutation the Government gets that much money to reimburse itself under the free-homestead law.

The PRESIDENT pro tempore. If the Senator from South Dakota will pardon the Chair for one moment, the Chair calls the attention of Senators to the fact that in line 7 the bill is limited to the lands of the Chippewa Indian Reservation in Minnesota.

Mr. NELSON. I wish Senators would allow the bill to go through, and then bring in other bills for their respective States.

The PRESIDENT pro tempore. The Chair thinks the bill had better be read to the Senate again. The Senate was in confusion when it was read. The Secretary will, with the permission of the Senator from South Dakota, again read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the provisions of section 2301 of the Revised Statutes of the United States, allowing homestead settlers to commute their said entries, be, and the same are hereby, extended to the homestead settlers on the ceded lands of the Chippewa Indian Reservation in Minnesota under the provisions of the act of Congress approved January 14, 1889, and acts supplemental thereto: *Provided,* That the money paid in for said commutations shall be distributed in accordance with the provisions of said act of Congress approved January 14, 1889.

SEC. 2. That all acts or parts of acts inconsistent with this act are hereby repealed.

Mr. PETTIGREW. Mr. President, I think the Senator from

Minnesota is entirely right about this matter. At the time this reservation was opened up the Great Sioux Reservation was also opened up in South Dakota, and in both cases the law provided that title could only be acquired by five years' residence. As far as the Great Sioux Reservation is concerned, several years ago Congress passed a bill which I introduced providing just what the Senator wishes to have accomplished in this bill with regard to the Chippewa Reservation. For several years the settlers in South Dakota on the Great Sioux Reservation have been allowed to commute their entries after fourteen months' residence.

The only question which arose in my mind in regard to the bill was whether it did not confer the privilege on the Minnesota settlers of commuting after six months' residence, which was contrary to the provisions of the present law as to public lands generally; but, as I understand it, the bill simply extends the commutation privilege as amended by the act of 1891 and allows, after fourteen months' residence, the right to pay for the land.

Mr. NELSON. The Senator is correct.

Mr. PETTIGREW. I do not think the reservations in Montana or Nebraska or North Dakota have any such restrictions. In my opinion all those people can commute their entries. I know that is true with regard to North Dakota and South Dakota. Therefore I do not care to amend the bill so as to embrace my State within its provisions.

Mr. CARTER. Mr. President, the fact is that the commutation right does not exist with reference to the ceded portions of reservations in the State of Montana which have been ceded within the last ten or twelve years. The entire northern part of the State known as the Blackfeet Reservation was ceded with a special restriction as to commutation.

I do not wish to delay the passage of this bill, but I suggest to the Senator from Minnesota that instead of the words "Chippewa Indian Reservation in Minnesota," the words "on all lands ceded by Indians to the Government" be inserted, so that the bill will be general in its application rather than special.

There is much confusion, Mr. President, in the administration of the land laws incident to a great variety of laws in the same State or in a number of States of the Union. This commutation privilege may extend in one county of the State of Montana, and it may not extend in another county in the State. The land officers find it difficult to administer the law at all times when the laws are uniform. When they are conflicting and local in application the confusion is increased, and, of course, the difficulty of administration is greatly increased.

I suggest that instead of mentioning Minnesota we strike out the words "Chippewa Reservation in Minnesota" and insert "all Indian lands ceded to the United States."

Mr. ALLEN. Mr. President, I move also to amend the bill by inserting the word "all" after the word "on," in line 6, and striking out, in line 7, the words "the Chippewa," changing the word "reservation" to "reservations," and striking out the words "in Minnesota."

Mr. TELLER. Let the bill be read as proposed to be amended.

The PRESIDENT pro tempore. The amendment offered by the Senator from Montana [Mr. CARTER] is to insert the words "and Montana," to which the Senator from Nebraska [Mr. ALLEN] offered an amendment, adding the words "and Nebraska." That is the pending amendment. Does the Senator from Nebraska withdraw his first amendment?

Mr. ALLEN. No, sir. I offer these additional amendments.

Mr. BERRY. Mr. President, the Senator from Minnesota has thoroughly considered this bill, and he had it considered by the Committee on Public Lands. There is no objection to it whatever as it came from that committee, and it seems to me that it would be better to pass the bill as it was reported from the Committee on Public Lands. If Senators have in their States lands in a like situation, they can have the bills considered by that committee, and there will be no difficulty about it. But to undertake to amend this bill on the floor of the Senate, without knowing to what extent it would go or what effect it would have, it seems to me is not the proper course to pursue.

I hope the amendments will not be adopted and that the bill will be passed as reported from the Committee on Public Lands. If there are other States that have lands in like situation, the committee will report those bills and the Senate will pass them.

Mr. ALLEN. Mr. President, I certainly can not agree with the Senator from Arkansas, much as I would like to do so. The bill affects lands in various States—in Minnesota, Montana, Nebraska, and other States. It is not a very complicated bill. It is not the work of more than a moment or two to perfect it and make it to include every State and Territory in the Union. I do not understand why it should not be open to amendment the same as other bills and be made applicable to every State where a similar condition exists. The striking out of a word or two in the bill will make it applicable to the entire United States.

Mr. PLATT of Connecticut. May I ask a question?

Mr. ALLEN. Certainly.

Mr. PLATT of Connecticut. Will the Senator's amendment

make it applicable to future ceded Indian reservations as well as to those that have already been ceded? What will the effect of it be? Will it be prospective?

Mr. ALLEN. I can not answer that, because I have not looked at the bill far enough to know; but the amendment that I offer does not change the substance of the bill in that respect; it simply changes the territory to which it extends. It enlarges it, but does not change the general drift and meaning of the text of the bill.

Mr. HANSBROUGH. I suggest to the Senator from Nebraska that he withdraw his amendments and accept the amendment offered by the Senator from Montana, which makes the bill general, so that there can be no exception of any reservation.

Mr. ALLEN. I wish to say to the Senator from North Dakota that if he will look at the bill he will see that the amendment last offered by me is necessary to make it general. The bill speaks of the Chippewa Reservation in the State of Minnesota, and I move to strike that out.

Mr. CARTER. Let the last amendment be read.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment. The Chair supposes that, as it is entirely inconsistent with the amendment inserting the words "and Nebraska," the Senator withdraws that amendment and offers this one instead.

Mr. ALLEN. No, sir; I do not, because the words "Chippewa Reservation in the State of Minnesota" limit the operation of the bill, and the word "Minnesota" must go out.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment which will be read to the Senate.

The SECRETARY. In line 6, after the word "on," insert the word "all;" in line 7 strike out the word "Chippewa;" in the same line change the word "reservation" so that it will read "reservations," and strike out the words "in Minnesota" that follow.

Mr. ALLEN. Now let the bill be read as proposed to be amended.

The SECRETARY. So that as amended it will read:

That the provisions of section 2301 of the Revised Statutes of the United States, allowing homestead settlers to commute their said entries, be, and the same are hereby, extended to the homestead settlers on all the ceded lands of the Indian reservations under the provisions of the act of Congress approved, and so forth.

Mr. NELSON. Mr. President, I desire to make a statement with reference to these amendments. I do not think the amendments ought to be incorporated in the bill, for the reason that in the opening of many of the reservations different laws were passed. In some cases the Government paid the Indians a lump sum and then provided for reimbursing the Government by means of charging the homesteaders a certain price for the land. In the case of the reservations in Minnesota the Government advanced no money in the first instance; the lands were to be disposed of as homesteads, and as fast as the money was received it went to the Indians.

Now, the bill would hardly apply to the other reservations, because another provision of the bill provides that the money shall go to the Indians as under the original act, and that would not be germane and appropriate in the case of the other reservations.

Mr. BERRY. That is right.

Mr. NELSON. Therefore those matters ought not to be confounded in this bill. It is very easy to prepare bills applying to those cases, and I presume there will be no objection to them. I hope Senators will have the goodness to withdraw their amendments in this case.

Mr. GALLINGER. Mr. President, I rise to ask if unanimous consent has been given for the consideration of this bill.

The PRESIDENT pro tempore. Unanimous consent has been given.

Mr. GALLINGER. It seems to me that this matter is so complicated that it ought to be recommitted to the Committee on Public Lands for further consideration. I have been very diligently watching an opportunity to ask consideration for a bill that very vitally affects the people of the District of Columbia, but I have not had an opportunity to do so. A measure which is controverted as this is, and where there is so much misunderstanding, I believe ought to be sent to the committee, and let the committee settle the differences there. I do not care to make the motion, but it seems to me that that would be the proper way to dispose of the matter.

Mr. HALE. The Senate does not understand even the bill itself. If it is to be made a general bill, the committee ought to consider that subject and report it in that form. If it is to be changed by adding one State and another, the committee ought to consider that and give each State the same chance that the one State taken care of by the bill has.

Therefore in that view, and agreeing with the Senator from New Hampshire, I move that the bill be recommitted to the Committee on Public Lands. It can be reported at any time.

The PRESIDENT pro tempore. The Senator from Maine moves that the bill be recommitted to the Committee on Public Lands.

The motion was agreed to.

BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 5213) granting an increase of pension to Cornelius Springer; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Cornelius Springer, of Company H, Eighteenth Regiment Ohio Volunteer Infantry, verified by his affidavit, together with the affidavits of Isaac Hearn, William J. Cahill, I. R. Gibson, and Drs. M. O. Biggs and S. J. Reynolds. I move that the bill and accompanying papers be referred to the Committee on Pensions. The motion was agreed to.

Mr. DANIEL introduced a bill (S. 5214) to authorize the President of the United States to select from the brigadier-generals of volunteers two volunteer officers, without regard to age, and appoint them brigadier-generals, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5215) granting a pension to Edward C. Spofford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5216) granting a pension to Sarah J. Hart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5217) to refer the war claim of the estate of Carter B. Butler, deceased, to the Court of Claims;

A bill (S. 5218) for the relief of the estate of William Fletcher, deceased;

A bill (by request) (S. 5219) for the relief of Alexander Perry; and

A bill (S. 5220) for the relief of the estate of Benjamin M. Yancey, deceased.

Mr. KYLE introduced a bill (S. 5221) granting a pension to Edigna Breidenbach; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY (by request) introduced a bill (S. 5222) for the relief of George H. Hogan; which was read twice by its title, and referred to the Committee on Claims.

Mr. LODGE introduced a bill (S. 5223) for the relief of the estate of David M. Whitney, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McBRIDE introduced a bill (S. 5224) granting an increase of pension to R. C. Brant; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5225) granting a pension to Jerry Haggee;

A bill (S. 5226) granting an increase of pension to Charles R. Ford (with accompanying papers); and

A bill (S. 5227) granting an increase of pension to John Beck (with accompanying papers).

Mr. BAKER introduced a bill (S. 5228) for the relief of William Bowman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5229) for the relief of Henry Canning; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 5230) for the suppression of train robbery in the Territories of the United States and elsewhere, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 5231) relating to the accounts of United States marshals and clerks of the district courts of the Territory of Utah; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 5232) prescribing the qualifications, pay, and manner of selecting juries in the district courts of the Territory of New Mexico held for the trial of causes arising under the Constitution and laws of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DOLLIVER introduced a bill (S. 5233) granting an increase of pension to Philetus M. Axtell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5234) to provide for erecting for the Department of Agriculture a laboratory building on reservation No. 2, in the city of Washington, D. C.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. GALLINGER introduced a bill (S. 5235) granting a pension to Mary R. Pike; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 5236) granting an increase of pension to Dennis Hannifin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 5237) granting a pension to Lovina J. Reeves; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5238) authorizing the Secretary of the Navy to contract for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast at an asylum in the State of California; which was read twice by its title, with the accompanying letter from the Secretary of the Navy, which was ordered to be printed, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 5239) authorizing the President to appoint in the office of the Secretary of the Navy, Navy Department, an inspector of accounts; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. THURSTON introduced a bill (S. 5240) providing for the payment of rent of certain buildings at Fort Crook Military Reservation, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5241) granting a pension to Ann E. Tillson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5242) granting an increase of pension to Henry D. Fulton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5243) for the extension of Fourteenth street, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McCOMAS introduced a bill (S. 5244) to reincorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. MORGAN introduced a bill (S. 5245) for the relief of the estate of Henry Ingram, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McMILLAN introduced a joint resolution (S. R. 139) to provide a commission to consider certain improvements in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HALE introduced a joint resolution (S. R. 140) for the erection of a monument to the memory of Dorothea Lynde Dix; which was read twice by its title.

Mr. HALE. Accompanying the joint resolution is a memorial, a statement from Dr. A. B. Richardson, superintendent of the St. Elizabeth Hospital, and other papers. I move that the accompanying papers be printed as a document, and, with the joint resolution, referred to the Committee on the Library.

The motion was agreed to.

AMENDMENTS TO BILLS.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (S. 2433) granting per diem pension service to honorably discharged officers and enlisted men of the Union Army in the civil war; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. STEWART submitted an amendment providing for the retention in the Government service of clerks who have served temporarily in the Department of State for two years, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (S. 1676) for the payment of certain claims; which was referred to the Committee on Claims, and ordered to be printed.

Mr. FRYE submitted an amendment to be proposed by him to the bill (S. 4300) to increase the efficiency of the military establishment of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

THE OLEOMARGARINE BILL.

Mr. PENROSE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That 1,000 copies of the bill (H. R. 3717) to make oleomargarine and other imitation dairy products subject to the laws of the State and Territory into which they are transported, and to change the tax on oleomargarine, be printed for the use of the Senate.

MONTANA SENATORIAL INVESTIGATION.

Mr. CHANDLER. Mr. President, are reports of committees still in order?

The PRESIDENT pro tempore. That order has been passed by. Without objection, the report will be received.

Mr. CHANDLER. I did not wish to make a report, but I wish to ask the acting chairman of the Committee on Contingent Expenses whether or not he is prepared to report the resolution giving the Committee on Privileges and Elections power to send for

persons and papers in the investigation of the credentials of William A. Clark and Martin Maginnis, who are claimants for the vacant seat in the Senate from Montana. My colleague informed me on Saturday that a meeting of the committee would be called this morning, and I am anxious to know whether the committee is prepared to report that resolution, so that it may be acted on by the Senate.

Mr. GALLINGER. I will state, Mr. President, in response to the interrogatory of my colleague, that as acting chairman of the committee, in the absence from the city of both the chairman and the clerk of the committee, I personally called a meeting of the committee, which was held this morning. The Senator from Arkansas [Mr. JONES], the second member of the committee, had made a request that no action should be taken in his absence, and he was not present at the meeting this morning; in addition to which I received a letter from the chairman of the committee, raising some objections to the resolution. He is unavoidably detained in the city of New York, caring for a sick daughter. In view of all the circumstances, the three members of the committee who met concluded to postpone the matter until some future time, when another meeting of the committee will be called.

Mr. CHANDLER. I will ask my colleague whether the committee adjourned to meet at any particular time?

Mr. GALLINGER. I will answer that there was no time decided upon.

Mr. CHANDLER. There was a quorum of the committee present?

Mr. GALLINGER. There was.

Mr. CHANDLER. The Senate has directed its Committee on Privileges and Elections to make this inquiry. The committee is unable to make the inquiry unless it has power to send for persons and papers. Mr. Maginnis and, for aught I know, Mr. William A. Clark stand at the door of the Senate asking admission under these appointments. A resolution has come from the House of Representatives for a holiday recess, beginning on Friday. It seems to me that the Senate in justice to its own order should give the committee the powers which it asks for, or refuse to give those powers.

I will ask my colleague whether the absent Senator, the chairman of the committee, gives any reason why he is opposed to giving these powers to the Committee on Privileges and Elections? If so, I wish he would state them to the Senate.

Mr. GALLINGER. Before doing that, I feel bound to say that I think no just criticism can apply to the committee for a lack of promptitude in considering this matter. The resolution came to the committee on Saturday last. A meeting of the committee was held this morning. As to whether the committee will meet again to-morrow or the next day, I can not say. I shall consult with the other members of the committee in reference to that matter, and I will be guided largely by their opinions.

My colleague inquires as to whether the chairman of the committee gives any reason for his opposition to the resolution.

Mr. JONES of Arkansas. Will the Senator allow me to make a suggestion?

Mr. GALLINGER. Certainly.

Mr. JONES of Arkansas. I do not know of any right a Senator has to ask a member of a committee to make a report to the Senate or what opinion any member of the committee may give for his action in committee. I have never heard of that being done before; and I do not believe it is a proper treatment of the absent Senator, the chairman of the committee, to call in question whatever he may have said or what he thinks about this matter. When he chooses to be heard in the Senate he can be here and speak for himself, and I think the time to call his opinions in question will be when he is here.

So far as my absence from the committee is concerned, it was impossible for me to attend the meeting of that committee to-day and it will be impossible to attend a meeting to-morrow. I stated to the members of the committee that it was impossible for me to be there. I had other things that required my attention, and it was necessary for me to be absent from the committee. I am usually prompt in my attendance on meetings of committees. I do not understand why the Senator from New Hampshire shall undertake to call us in question or undertake to punish us in the Senate for not having acted as promptly as he desired on a resolution which he seems to be particularly anxious to have passed. I do not think it is the proper thing to have a statement made about what the Senator from Nevada [Mr. JONES] may have said to the acting chairman of the committee in a private letter.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Debate is proceeding by unanimous consent.

Mr. GALLINGER. I quite agree with my colleague on the committee as to the impropriety of reading a private letter from the chairman of the committee in connection with this matter, and yet I will venture to say the chairman of the committee holds that this is a question of law which he thinks can be determined

without expending more money in its investigation. As to how the committee will hold on that point I am unable to say.

All I desire to say, Mr. President, is that so far as I am individually concerned, I proceeded diligently and expeditiously in seeking to have the resolution considered; but I think that, in the absence of the Senator from Arkansas, the committee did quite right this morning in postponing it.

Mr. CHANDLER. Mr. President, I do not wish to punish the Senator from Arkansas—I had no such intention—unless it is punishment for him to listen to a civil and courteous inquiry of him as acting chairman of the committee.

There is no use, Mr. President, to put on any disguises in connection with this question. This treatment of a resolution asking the authority of the Senate to send for persons and papers was never given to any resolution before. The Committee on the Contingent Expenses of the Senate have never before undertaken to hold back a resolution in this way.

The Senator from Arkansas did quite right in asking that, before the Committee to Audit and Control the Contingent Expenses of the Senate should consider the resolution, it should come from a committee, and not from an individual Senator. I have always contended for that, and have been ruled out of order two or three times for making that contention. Now that that requisite has been complied with, the Committee on Privileges and Elections, acting under directions of the Senate, want to go on with this investigation; and the only question for the Committee to Audit and Control the Contingent Expenses of the Senate is whether the Government can afford to pay the bills or not, and whether there is money enough in the Treasury to make the inquiry.

Mr. President, that resolution ought to be acted upon, and acted upon promptly, as all other resolutions of that nature have hitherto been acted upon. It is very evident where the responsibility for the delay that is taking place rests, and if no report shall be made shortly I shall move to discharge the committee from the consideration of the resolution and ask that the action of the Senate may be taken thereon. I shall do my duty in this case in accordance with the deliberate instructions of the Senate. I can not perform the duty which the Senator from Arkansas ought to perform in reporting back this resolution.

Mr. LODGE. Regular order, Mr. President.

Mr. JONES of Arkansas. Mr. President, one word. I do not remember the day that this resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate; but I think it was on Saturday last.

Mr. GALLINGER. That is the fact.

Mr. JONES of Arkansas. This is the very next legislative day after the resolution was sent to the Committee to Audit and Control the Contingent Expenses of the Senate; and yet the Senator from New Hampshire seems to be terribly exercised about the extraordinary delay in reporting the resolution back. Why this extraordinary haste on the part of the Senator from New Hampshire? There is certainly some reason for it. For one, I propose to take time enough for the committee to consider whether or not the resolution ought to pass; and I shall be accountable to the Senate for my conduct.

Mr. CHANDLER. I am not "terribly exercised" about what the committee shall do; but I have been a little anxious to know why it was not convenient for the Senator from Arkansas to attend the meeting of the committee this morning.

EXTENSION OF MINING LAWS TO SALINE LANDS.

The PRESIDENT pro tempore. Is there further morning business?

Mr. STEWART. Mr. President, the Senator from South Dakota [Mr. PETTIGREW] has withdrawn his objection to the bill that I called up before the Senate on Saturday last, and I ask unanimous consent that it may be now considered.

Mr. LODGE. Has the morning business been completed?

The PRESIDENT pro tempore. Is there further morning business?

Mr. LODGE. I will yield for morning business, Mr. President, but when that is concluded I desire to make a motion that the Senate proceed to the consideration of executive business.

Mr. STEWART. I hope the Senator will yield for the consideration of the bill to which I have referred.

ALASKAN INVESTIGATION.

Mr. CARTER. I submit a resolution which I ask to have read and referred to the Committee on the Judiciary.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Montana will be read.

The Secretary read as follows:

To investigate the conduct of the judge of the division of the district court of Alaska located at St. Michaels, and to ascertain and report to the Senate the names of all persons who are in any way connected with any litigation in said court, concerning which any improper influence or illegal conduct has been or may be charged.

Whereas it has been charged through the press and otherwise that Judge Arthur H. Noyes, of the district court of Alaska, having jurisdiction over the

Cape Nome district, has been guilty of illegal or improper conduct in connection with litigation pending in his court; and

Whereas it is further charged by innuendo and insinuation that such alleged illegal action or improper conduct resulted from a conspiracy in which many persons were concerned: Therefore, be it

Resolved, That the Judiciary Committee of the Senate be, and is hereby, authorized and directed to thoroughly investigate and after such investigation to report to the Senate the facts found in response to the following interrogatories, to wit:

1. Are the general mining laws of the United States applicable to the district of Alaska?

2. Has Judge Noyes, having jurisdiction over Cape Nome, been guilty, directly or indirectly, of any illegal or improper conduct in or connected with any litigation which has been or is pending in his said court?

3. Whether or not any Senator or Representative in Congress, or any officer of the Federal Government, at any time possessed any interest, directly or indirectly, in any property which has been the subject of litigation in said court, and whether or not any such person has at any time had any interest, directly or indirectly, in the result of any such litigation, either as an owner, stockholder, director, or possessor of contingent interest; and, if so, the name and position of such person and the nature of the interest held or claimed.

4. What, if any, effort has been made by any party to any litigation pending in said courts to improperly or illegally influence the action or judgment of the court or any officer thereof?

5. What, if any, sum or sums of money have been spent by any person or persons, corporation or company, to print or circulate statements reflecting upon the honor and integrity of the court or the judge or any officer thereof, and by whom such expenditures were made and for what purpose?

6. The facts and circumstances connected with and the inducements offered to Judge Johnston, the predecessor of said Judge Noyes, to procure him to resign his position on the bench and to become connected with litigation pending in the court at the time of his resignation or thereafter commenced in said court.

To fully inquire into and to report to the Senate any other charge, fact, or circumstance in any manner directly or indirectly reflecting upon the integrity of said Judge Noyes or his said court, or any receiver or other officer thereof, in connection with any litigation which has been, is now, or may be pending in said court when the investigation is made.

That said committee be, and is hereby, authorized to send for persons and papers and examine witnesses on oath in relation to the subject-matter of this resolution, and to incur such expense in traveling as may be by the committee deemed necessary in the prosecution of such investigation, all expenses of the inquiry to be paid out of the contingent fund of the Senate; and said committee is authorized, if deemed expedient, to conduct the investigation through a subcommittee to be appointed by the chairman thereof.

Mr. HOAR. Mr. President, if I may be allowed by unanimous consent to say a word or two before the Senate acts on the resolution, I wish to say that I have heard the reading of the resolution imperfectly, but there are several questions which suggest themselves to my mind about it which I do not like to detain the Senate at this moment by stating.

I, of course, sympathize with the desire of the Senator from Montana to have the facts brought out, if there has been any personal charge made against a Senator—which, of course, an investigation will at once refute—but, instead of having the resolution adopted, I should like to have it referred to the Committee on the Judiciary, so that they can consider whether it is in the proper shape and also whether it does not properly come within the jurisdiction of a special committee or the Committee on Privileges and Elections. If the Senator does not object, I should like to have that course taken.

Mr. CARTER. The request I made was that the resolution be referred to the Judiciary Committee.

Mr. HOAR. And not that it be adopted?

Mr. CARTER. No.

Mr. HOAR. Very well; that is all I desire.

The PRESIDENT pro tempore. Without objection, the resolution will be referred to the Committee on the Judiciary.

PERSONAL EXPLANATION.

Mr. MONEY. Mr. President, I rise to a question of personal privilege. I send to the Secretary's desk a newspaper, from which I ask may be read the article I have marked.

The PRESIDENT pro tempore. If there be no objection, the Secretary will read as requested.

The Secretary read from the Washington Post of Monday, December 17, 1900, as follows:

Some Senators and Members who are interested in keeping down appropriations were rather surprised yesterday, after making computations, to discover that there are claim bills aggregating \$25,000,000 favorably reported and on the Senate Calendar. There is said to be a combination of Senators back of these bills who are planning to hold up all business and force an extra session unless favorable action is assured.

These bills are principally for property alleged to have been taken or destroyed by the armies of the United States during the civil war. There is some merit in a few of them, but the great majority have been knocking about Congress for many years, and are pushed simply on account of large contingent fees, which will go to lobbyists if they become laws. The Senate is the favorite body in which to start these bills, partly for the reason that it is comparatively small, and it is easier to work up combinations of enough men interested in different measures to carry through a whole swarm, and partly because of a peculiar rule in the Senate Committee on Claims, by which any bill that has ever been reported favorably to the Senate from that committee can be reported in a subsequent Senate by a single member without consultation with his colleagues.

BEGUN BY SENATOR MONEY.

The first open effort to press one of these bills ahead of pending business of the Senate was made on Friday of last week, when Senator MONEY, of Mississippi, moved to take up what is known as the cotton-claims bill. It is estimated that this carries a total of \$9,000,000 in appropriations from the Treasury. He was at once antagonized by Senator LODGE with a motion that the Senate go into executive session to consider the Hay-Pauncefote treaty. Senator MONEY protested, but did not force the fight at that time, contenting

himself with serving notice that he would call up the bill at the first opportunity and that he would continue to press for an opportunity.

The evident intention of the Senators behind these claims to hold up the business of the session if they are not allowed to come to a vote was the subject of a conference yesterday between some Senate and House leaders. It was concluded that it would not be wise to allow the bills to slide through the Senate and trust to the House to hold them up, for it might be possible to make a similar combination in the House, and the mere passage of them through the Senate at this session would give them additional prestige in future Congresses. It was decided by the gentlemen who discussed the matter that the bill should be opposed to the uttermost in the Senate, even if their supporters carry out their threat to force an extra session of Congress, as the expense of an extra session and the inconvenience it would impose on Senators and Representatives would be preferable to allowing wholesale raid to be made upon the Treasury.

Mr. MONEY. Mr. President, I do not think I have ever before asked to be heard upon a question of privilege based upon anything stated in newspapers, however much I respect those avenues of communication to the public of facts and opinions. I do not call this up to point out the inaccuracies of the writer of the article or to deride the sources of his information.

There is no combination of Senators of the kind alleged, so far as I am aware, and I have so good an opinion of my colleagues from the South that I do not believe they would have any scheme to plunder the Treasury without having the kindness to let me into it.

The matter seems, though, of so much importance, according to this reporter, that the leaders of the Senate and of the House of Representatives on the other side, representing a majority in both Houses, have conferred together, and have come to the determination that all these claims are to be deferred until another Congress even at the risk of an extra session.

I have never heard that there was any combination of any sort on this side of the House to secure the passage of any measure or any one of these claims. I have never heard anybody suggest that there should be an extra session of Congress, or that these bills should be unduly forced before the Senate. I do not believe that the amount named in the article is correct; but that can be easily verified, and I therefore will not dispute it.

It should have been apparent to the reporter that this Government and no other government pays for property destroyed in war, because property destroyed in war is like property destroyed by the act of God.

The claim which I presented here, and as to which the article represents me as being the advance agent of the combination, does not consist of claims upon the Calendar at all; and it is not half the amount named in the article. According to the Secretary of the Treasury, there is only \$4,992,000 of that cotton fund in the Treasury; and I will remind the Senate in this connection, and also the talented reporter, that that is not a claim upon the Government for unliquidated damages, or anything of that kind, but it is to open the courts of the United States to adjudicate title to a trust fund, to be distributed to the owners of that fund as they can prove their ownership, and for nothing else. If the reporter had read the bill itself, he would have found section 6, added by myself and approved unanimously by the committee, which absolutely excludes everything but that class of people who owned the property, and it must be proven by the archives of the Treasury to be their share of the distributive fund. So much for that.

There is no combination to push that bill. The other day I brought it up, with no intention whatever to antagonize the pending treaty, but simply to occupy a part of the morning hour, very well understanding, as the reporter should have understood also, that the bill went with the morning hour, and no further.

I will also state that I have never disagreed to the fixing of a day for voting on that or any other measure.

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Wisconsin?

Mr. MONEY. Certainly.

Mr. SPOONER. Is the Senator a member of the Committee on Claims?

Mr. MONEY. No, sir; I am not a member of that committee.

Mr. SPOONER. Is the Senator able to say whether the statement contained in that newspaper article is correct, that there is a rule of the Committee on Claims that any member of that committee is at liberty to report, without consideration or reconsideration by the committee, any bill which had been theretofore passed or had received a favorable report?

Mr. MONEY. I have no knowledge of such a rule. There may be such a one. I do not know.

Mr. SPOONER. May I ask some member of the Committee on Claims if there is any such rule of the committee, as stated in this paper, that any member of that committee is at liberty to report, without action by the committee, a bill which has heretofore received a favorable report from that committee?

Mr. MASON. I think there is no such rule. This bill—

Mr. SPOONER. I simply want to know if there is such a rule.

Mr. MASON. I say I think there is no such rule. If I recollect aright, I reported the bill referred to from the Committee on

Claims. I am not sure that I reported it during this Congress, but I reported it in one Congress. It was reported both times after a hearing. I think the Senator from Florida who preceded the present senior Senator from Florida made the report with me in the last Congress. I joined with him in the report. I think in this Congress the report was made by the present Senator; but it was after a full hearing before the committee, and an authorization to make the report. I know of no such rule of the committee as that which has been referred to, although there may be such a rule.

Mr. MONEY. Mr. President—

Mr. SPOONER. Will the Senator from Mississippi pardon me a moment longer?

Mr. MONEY. Certainly.

Mr. MASON. I observe on page 4 of the Calendar the statement is made that the bill was reported by Mr. MASON, from the Committee on Claims, with an amendment, and subsequently another amendment was reported by the Senator from Colorado [Mr. TELLER]. That is not a correct statement, as the original report shows it was made by the junior Senator from Florida [Mr. TALIAFERRO] and myself, from the Committee on Claims, after a full hearing before the committee, and after a statement by the late Senator from Minnesota, Mr. Davis, as to the merits of the bill.

Mr. SPOONER. The Senator from Mississippi [Mr. MONEY] yields to me a moment longer.

Mr. MONEY. Certainly.

Mr. SPOONER. My question had no reference whatever to the bill which is referred to, but I wish to ask the Senator from Nevada [Mr. STEWART] if there is any rule of the Committee on Claims of the Senate such as is indicated in this newspaper statement.

Mr. STEWART. I think there is or there was a rule to this effect, that where a bill had been favorably reported and had passed the Senate at a preceding Congress, it might be reported at the next Congress, but I doubt if it has been acted on, because such a bill is usually called up in the committee and a statement made regarding it, and if no one has any objection to it, it is reported. That has been the usual habit. I believe it is understood that it is not necessary to make any investigation when a thorough investigation has been had at a preceding session. Attention is called to this fact, and if there is no objection the committee will allow the bill to be reported. That has been the practice.

Mr. TILLMAN. Will the Senator from Mississippi allow me?

Mr. MONEY. Certainly.

Mr. TILLMAN. The chairman of the Committee on Claims is absent. The Senator from Colorado [Mr. TELLER] I believe is the chairman of that committee, although there have been some changes.

Mr. MONEY. The Senator from Wyoming [Mr. WARREN] is chairman of the committee.

Mr. TILLMAN. I am told the Senator from Wyoming was the chairman at the last session. There have been some changes made in the committee. I got my information from the Senator from Colorado [Mr. TELLER]. I was trying to secure the passage of a claims bill, which I had passed through this body three times, to pay back a postmaster for money that the Government holds and which the Committee on Post-Offices and Post-Roads reported was due to this man. I approached the Senator from Colorado, when he was chairman of the committee, in regard to that bill, and inquired as to whether I should press it again. He said it had been ordered to go on an omnibus bill which was pending before this body, with a favorable report covering those claims which have been investigated by the committee and have been passed time and again.

Mr. STEWART. If the Senator will allow me, I should like to say, in addition to what I have stated, that I have been on and off of the Committee on Claims for a great many years, and there has been no change in the rule. The practice has been the same for the last thirty years at least—that is, where a bill has been favorably reported and has passed the Senate at a preceding Congress it is simply called up in committee, and if there is no objection, it is again reported.

Mr. MONEY. Mr. President, I think it necessary, perhaps, in the interest of my constituents to disabuse the minds of the Senate—

Mr. HOAR. If the Senator from Mississippi will allow me, I should like to ask the Senator from Colorado [Mr. TELLER], who is now on the floor, to state the facts about this alleged rule, if the Senator from Mississippi will allow that to be done.

Mr. MONEY. Certainly.

Mr. TELLER. I did not hear the statement which was made. If the Senator will repeat the statement, I will try to answer. I do not know what statement was made about some alleged rule of the Committee on Claims.

The PRESIDENT pro tempore. The Secretary will read it from the Washington Post.

Mr. MONEY. Just one moment. To save the reading of the

statement made in the article which has been read to the Senate from the Washington Post I will state that it was to the effect that the rule of the Committee on Claims was that a bill which had once been favorably reported to the Senate by the committee might be again reported by a member of the committee without further examination and placed upon the Calendar, or something to that effect. Then the Senator from Wisconsin [Mr. SPOONER] asked me whether or not I knew that was true, and I said I was not acquainted with the rule of the Committee on Claims and did not know whether it was true or not. The Senator from Nevada [Mr. STEWART] explained that when a bill had been once reported and passed by the Senate it could be reported again by the Senator in charge of it.

Mr. TELLER. There never was any other rule. There never has been any rule where a bill had been examined and favorably reported that it should be reexamined. We have a great many claims before the committee from time to time which have been reported sometimes adversely and sometimes favorably. We adopted a rule that where a claim had been examined by the committee and passed by the Senate a member of the committee might report it back to the Senate from the committee.

I want to say that the claim under discussion has been considered for years and years. We have passed I do not know how many bills recognizing the justice of the claims of the people whose cotton was taken. The committee thought it was not wise that this money held as a trust fund should be paid out in parcels, because it was evident that there was not enough of the money to cover all the claims. Therefore we reported this claim—to which the Senator refers as the claim he called up the other morning—in order that this fund might be distributed pro rata according to the claims that were proved up; the proposition, of course, being to send the claims to the Court of Claims, where all these matters would be adjudicated.

Mr. MASON. And that only such money would be taken as had actually been turned into the Treasury from the sale of this cotton.

Mr. TELLER. And, as the Senator from Illinois says, only so much money is to be distributed as the Government received for this cotton, which was not seized as contraband of war, but was seized on an entirely different principle. It has been recognized by every committee and practically at nearly every session of Congress that we were in honor bound to pay the money back. The only question is to whom we shall pay it.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. This general discussion is proceeding by unanimous consent. The Senator from Mississippi [Mr. MONEY] rose to a question of privilege.

Mr. STEWART. Just a word in explanation.

Mr. MONEY. I have no wish to preclude any explanation that it may be the desire of Senators on the committee to make.

Mr. STEWART. The Government undertook to distribute the money and pay it back to the claimants through the Treasury Department. That went on for some considerable time. Congress was not satisfied with that mode of distribution, and it directed the money to be covered into the Treasury, with the understanding that some other mode of distribution should be made, so that those who had equities should all have an equal show, and that it should be sent to the Court of Claims. That was the understanding. In all cases we refuse to report individual bills, but have adhered to the theory originally adopted when the money was covered into the Treasury, that it should be held as a trust fund and distributed through the courts pro rata to those who were left.

Mr. MONEY. Mr. President, I brought this matter to the attention of the Senate first in order to say that there is no combination that I know of—and I think I would know of it if there was one—either to press forward unduly any claim on behalf of claimants from the South or to postpone any measure before the Senate, either in its executive or open session. But as the same article says that the leaders in both Houses on the majority side have thought it of sufficient importance to confer to devise some way to put down these claims, I thought that perhaps, amid this mass of inaccuracy, some truth had inadvertently crept into the statement of the reporter, and I wish to disabuse the minds of Senators of the idea that there is any desire on this side of the Chamber, so far as I am acquainted, either to postpone action on any bill pending or any future bill or to unduly press any claim whatever. Whatever comes up must have the consideration of the Senate upon its own merits.

As I say, there is no combination; and I wish still further to disclaim any relation or connection in any way between the bill which I called up the other day and any other class of claims. It stands absolutely sui generis, a trust fund. The bill was introduced by the late lamented Senator from Minnesota, Mr. Davis, who had no Southern constituency, and was reported by the Senator from Illinois [Mr. MASON], who has no Southern constituency. Those gentlemen, feeling that they were rather burdened with affairs that did not concern their constituents, requested me to call up the bill whenever opportunity presented and press for

its passage. I did so at their request, and also because my constituents were perhaps more largely interested in the bill than any others. I hope Senators on the other side will not get an erroneous impression because a newspaper reporter, in the hurry of getting his work to press by 3 o'clock in the morning, has seen fit to call upon his vivid imagination to supply his lack of facts about this matter.

EXECUTIVE SESSION.

Mr. LODGE. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours and thirty-three minutes spent in executive session the doors were reopened.

SALARIES OF JUDGES.

On motion of Mr. HOAR, it was

Ordered, That Senate bill No. 3450, to fix the salaries of certain judges of the United States, be made a special order for Thursday, January 3, 1901, at 2 o'clock p. m.

HOUSE BILLS REFERRED.

The bill (H. R. 12394) to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder, was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 12737) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1902, and for other purposes, was read twice by its title, and referred to the Committee on Pensions.

On motion of Mr. LODGE (at 4 o'clock and 50 minutes p. m.), the Senate adjourned until to-morrow, Tuesday, December 18, 1900, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate December 17, 1900.

PROMOTIONS IN THE ARMY.

Subsistence Department.

Lieut. Col. John J. Clague, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel, December 13, 1900, vice Weston, who vacates by appointment as Commissary-General of Subsistence.

Maj. William L. Alexander, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel, December 13, 1900, vice Clague, promoted.

Capt. George B. Davis, commissary of subsistence (major and commissary of subsistence, United States Volunteers), to be commissary of subsistence with the rank of major, December 13, 1900, vice Alexander, promoted.

APPOINTMENT IN THE VOLUNTEER ARMY.

Forty-fourth Infantry.

First Sergt. Ralph W. Jones, Company H, Forty-fourth Infantry, United States Volunteers, to be second lieutenant, December 15, 1900, vice Cusick, resigned.

PROMOTIONS IN THE NAVY.

P. A. Surg. George H. Barber, to be a surgeon in the Navy, from the 7th day of June, 1900, to fill a vacancy existing in that grade.

Samuel Sayre Rodman, a citizen of Kentucky, to be an assistant surgeon in the Navy, from the 14th day of December, 1900, to fill a vacancy existing in that corps.

John Mosley Brister, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, from the 14th day of December, 1900, to fill a vacancy existing in that corps.

CONFIRMATION.

Executive nomination confirmed by the Senate December 17, 1900.

PROMOTION IN THE ARMY.

Infantry arm.

Second Lieut. James Hanson, Fourteenth Infantry, to be first lieutenant, December 7, 1900.

HOUSE OF REPRESENTATIVES.

Monday, December 17, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday last was read and approved.

PREFERENCE TO SOLDIERS IN CIVIL-SERVICE EMPLOYMENTS.

Mr. BROMWELL. Mr. Speaker, I move that the rules be suspended and House bill No. 5779, with the amendments thereto, be passed.

The SPEAKER. Is this motion made by authority of the Committee on Civil Service Reform?